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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/757,235	01/08/2001	Denis Serenyi	04860.P2535X	6701

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Firasat Ali  
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP  
7th Floor  
12400 Wilshire Boulevard  
Los Angeles, CA 90025

EXAMINER
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HARRELL, ROBERT B

ART UNIT	PAPER NUMBER
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2142

DATE MAILED: 07/22/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/757,235

Applicant(s)

SERENYI ET AL.

Examiner

Robert B. Harrell

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 30 DAYS FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 January 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☒ Claim(s) 1-33 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☒ Other: see attached Office Action.

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1. Claims 1-33 are pending for consideration.
2. Restriction to one of the following inventions is required under 35 U.S.C. 121:

I. Claims 1-23, drawn to a method of producing a representation of a streaming media data at a caching proxy server, the method comprising transmitting a request for streaming media data to be delivered to the caching proxy server, transmitting a request for data associated with the streaming media data, the request including an identifier which represents one of several possible types of data associated with the streaming media data, receiving the streaming media data and storing the streaming media data on a storage device which is capable of being controlled by the caching proxy server, and receiving the data associated with the streaming media data in a body of a packet; OR stated more narrower, method for operating a caching proxy server comprising sending a request for streaming media data to a server, the request including a request for data associated with the streaming media data, the request including an identifier which represents one of several possible types of data associated with the streaming media data, receiving a response from the server indicating support for the requested streaming media data, informing the server to send the supported data associated with the streaming media data, receiving the streaming media data from the server in a body of a packet, receiving a request from the client to send streaming media data, and sending the requested streaming media data to the client; OR stated another way, a method of negotiating for various types of streaming media data by the server comprising receiving a request for one or more types of streaming media data from a caching proxy server or a client, the request including a request for data associated with the streaming media data, the request including an identifier which represents one of several possible types of data associated with the streaming media data, determining if requested types of streaming media data are supported by the server, and responding to the request with a response to indicate the capability of the server to support the request, wherein the response is in a body of a packet; OR stated another way, a method of negotiating for various types of streaming media data by the caching proxy server comprising sending a request for one or more types of related or unrelated streaming media data to a server, the request including a request for data associated with the streaming media data, the request including an identifier which represents one of several possible types of data associated with the streaming media data, receiving a response in a body of a packet to each requested type of streaming media data, and deciding whether to proceed or terminate negotiation process associated with streaming media data.  
classified in Class 709, subclass 203.

II. Claims 24-28, drawn to a method of frame thinning by caching proxy server comprising receiving a message from a client, the message indicating a need to thin streaming media data being sent to the client, evaluating priority of streaming media data, and sending only selected streaming media data in a body of a packet.  
classified in Class 345, subclass 746.

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III. Claims 29-33, drawn to a method of using transmit time of RTP packet transmissions at a caching proxy server, the method comprising requesting data corresponding to transmit time for streaming media data from a server, receiving the streaming media data corresponding to transmit time information from the server in a body of a packet, storing the received information, and transmitting from the caching proxy server to a client the streaming media data at times specified by the transmit time.

classified in Class 700, subclass 88.

4. Inventions I and II are related as subcombinations disclosed as useable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately useable. In this instant case, invention I has separate utility such as in a method covered by Group I not used in a method of frame thinning by caching proxy server comprising receiving a message from a client, the message indicating a need to thin streaming media data being sent to the client, evaluating priority of streaming media data, and sending only selected streaming media data in a body of a packet.

5. Inventions I and III are related as subcombinations disclosed as useable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately useable. In this instant case, invention I has separate utility such as in as method covered by Group I not used in a method of using transmit time of RTP packet transmissions at a caching proxy server, the method comprising requesting data corresponding to transmit time for streaming media data from a server, receiving the streaming media data corresponding to transmit time information from the server in a body of a packet, storing the received information, and transmitting from the caching proxy server to a client the streaming media data at times specified by the transmit time.

6. Inventions II and I are related as subcombinations disclosed as useable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately useable. In this instant case, invention II has separate utility such as in a method of frame thinning by caching proxy server comprising receiving a message from a client, the message indicating a need to thin streaming media data being sent to the client, evaluating priority of streaming media data, and sending only selected streaming media data in a body of a packet not used in a method covered by Group I.

7. Inventions II and III are related as subcombinations disclosed as useable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately useable. In this instant case, invention II has separate utility such as in a method of frame thinning by caching proxy server comprising receiving a message from a client, the message indicating a need to thin streaming media data being sent to the client, evaluating priority of streaming media data, and sending only selected streaming media data in a body of a packet not used in a method of using transmit time of RTP packet transmissions at a caching proxy server, the method comprising requesting data corresponding to transmit time for streaming media data from a server, receiving the streaming media data corresponding to transmit time information from the server in a body of a packet, storing the received information,

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and transmitting from the caching proxy server to a client the streaming media data at times specified by the transmit time.

8. Inventions III and I are related as subcombinations disclosed as useable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately useable. In this instant case, invention III has separate utility such as in a method of using transmit time of RTP packet transmissions at a caching proxy server, the method comprising requesting data corresponding to transmit time for streaming media data from a server, receiving the streaming media data corresponding to transmit time information from the server in a body of a packet, storing the received information, and transmitting from the caching proxy server to a client the streaming media data at times specified by the transmit time not used in a method covered by Group I.

9. Inventions III and II are related as subcombinations disclosed as useable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately useable. In this instant case, invention III has separate utility such as in a method of using transmit time of RTP packet transmissions at a caching proxy server, the method comprising requesting data corresponding to transmit time for streaming media data from a server, receiving the streaming media data corresponding to transmit time information from the server in a body of a packet, storing the received information, and transmitting from the caching proxy server to a client the streaming media data at times specified by the transmit time. not used in a method of frame thinning by caching proxy server comprising receiving a message from a client, the message indicating a need to thin streaming media data being sent to the client, evaluating priority of streaming media data, and sending only selected streaming media data in a body of a packet.

10. Also an undue burden would be placed upon examiner since the search for a specific Group is not required for the other two Groups thus requiring three different and divergent fields of searches.

11. Because these inventions are distinct for the reasons given above and because they have acquired a separate status in the art as shown by their different classification and their recognized divergent subject matter and the search for each Group is not required for the other two Groups, restriction for examination purposes as indicated is proper.

12. Applicant is advised that the response to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed.

13. The applicant is also advised that the response must be submitted to the Office within **30 calendar days**.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert B. Harrell whose telephone number is (703) 305-9692. The

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examiner can normally be reached Monday thru Friday from 5:30 am to 2:00 pm and on weekends from 6:00 am to 12 noon Eastern Standard Time.

15. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack B. Harvey, can be reached on (703) 308-9705. The fax phone numbers for the Group are (703) 746-7238 for After-Final, (703) 746-7239 for Official Papers, and (703) 746-7240 for Non-Official and Draft papers.

16. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-9600.



ROBERT B. HARRELL  
PRIMARY EXAMINER  
GROUP 2142